

.PLANNING COMMISSION REGULAR MEETING MINUTES
February 7, 2023 – 6:00 P.M.

CALL TO ORDER

The regular meeting of the Planning Commission of the City of Highland was called to order at 6:00 p.m. by Chair Hamerly at the Donahue Council Chambers, 27215 Base Line, Highland, California.

Present:	Chair	Randall Hamerly
	Commissioner	Edward Amaya
	Commissioner	Jarrold Miller
	Commissioner	Jessica Sutorus
Absent:	Vice Chair	Chandra Thomas

Staff Present: Lawrence Mainez, Community Development Director
Kim Stater, Assistant Community Development Director
Ash Syed, Associate Planner
Matt Bennett, Public Works Director
Matt Wirz, Building Official
Gary Chambers, Code Enforcement Officer
Camille Goritz, Administrative Assistant III

The Pledge of Allegiance was led by Chair Hamerly.

COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)

Daniel Jivan Jee stated today I came to speak about the Airport Gateway Specific Plan and some of my thoughts and concerns about it. I wanted to share that with you all and to see if you would be willing to make a recommendation to the City Council of Highland. First of all, one of my reasons to be critical of this Airport Gateway Specific Plan that is being put forward by the IVDA is lack of public communication to the public and the constituents that live in that zone between 3rd and 6th Street all the way to the 210 freeway. A lot of people that showed up to the IVDA meeting in January it was information, and from my interactions with just people that live around there, they haven't had much information as to what's going on. I've even heard that developers have made offers to some people that live in the area, but it might have not been the offer that they should have received. Another issues that I have is there's a lot of truck routes are running from Del Rosa Avenue and Central Avenue and there is going to be a heavy increase of truck traffic, not only in Highland, but also some of the warehouse developments in the City of Redlands. One of the other concerns is when I reviewed the IVDA document, I didn't really see any clarity or any guarantees from development fees from property taxes raised from the developments or will they actually be able to cover some of the wear and tear the trucks doing over time over. Will the taxpayers be on the loop? If the trucks are running outside of that development zone on Victoria Avenue and Palm Avenue. Those are my thoughts for this evening, thank you.

Martha Romero stated I am with Community Organizers with Teamsters Local 1932. We are brother part of a collision that is called the San Bernardino Airport Communities, best known as SBAC, a group of organizations that is directly serving and organizing research and advocate for workers, people of color, immigrants, and community members of City of San Bernardino,

City of Highland and across the Inland Region as well. The proposed project includes a Specific Plan that is approximately 679 acres area within the cities of San Bernardino and Highland, north of San Bernardino International Airport, and it expands all the way from 3rd Street to 6th Street, Tippecanoe all the way to the 210 freeway. The project area currently houses an estimate of 2,471 residents within this estimate 760 resident units who will be faced with significant displacement. The Airport Gateway Specific Plan will bring new development and growth to our cities and area. Thus, surrounding area of San Bernardino Airport, we feel that it is essential to ensure that this draft and the planning process is considered of the voices of the communities, stakeholders, and the people most impacted by this Specific Plan project. We strongly believe the Airport Gateway Specific Plan can be set a high road standard for jobs, infrastructure, environmental mitigations, and a strong housing relocation plan for impacted people. To ensure the final program environmental impact report is robust and intentional. City of Highland and San Bernardino are right now in a non-compliant housing element for low-income housing. Our crisis right now is strong, we have seen a high increase in homeless in our areas. With a project like this, we could work together, with community, together with the IVDA, a City of San Bernardino, but please include your residents, who will be affected. Thank you so much.

1. Election of Chair and Vice Chair

The Planning Commission elected Randall Hamerly for Chair and Chandra Thomas for Vice Chair. Motion carried 4-1, with Vice Chair Thomas being absent.

CONSENT CALENDAR

2. Minutes from the January 17, 2023 Regular Meeting.

A MOTION was made by Commissioner Amaya, seconded by Commissioner Miller, to approve as amended. Motion carried, 4-1, with Vice Chair Thomas being absent.

PUBLIC HEARINGS

3. Design Review Application (DRA 22-017) proposing the rehabilitation of an existing 2,184 square foot building into a minor auto repair facility on a 0.6-acre site and related Tentative Parcel Map (TPM 22-009) for the merging of four (4) contiguous parcels. (26654 Base Line) (Joaquin Pelayo)

Associate Planner Syed presented the staff report.

Commissioner Amaya stated there is a shop east of Central Avenue and another shop immediately adjacent to your auto shop. Will there be enough demand for your auto shop?

Applicant Joaquin Pelayo stated I had an idea to open an auto shop for my son and to support him opening a business. Competitions are always there, even having a shop next to you, but your clients are going to keep coming back one way or another. There will be plenty of parking for customers.

Commissioner Amaya stated the concern I had was long term parking that would lead to storage yard.

Applicant Joaquin Pelayo stated it would not be. We are going to keep it in shape and it will be a nice view from the street.

Commissioner Miller asked will there be potentially repairs and maintenance activities that occur in the parking lot?

Applicant Joaquin Pelayo stated right now it will be inside the building, but it depends in time.

Assistant Community Development Director Stater replied that the Highland Municipal Code (HMC) requires the repairs are done inside the building.

Chair Hamerly stated ok, clarification for staff, the services that were described, are those apart of the application that was provided? There was not a discussion of custom modifications.

Associate Planner Syed stated when I spoke with the Applicants Architect, he stated the work that would take place on the site were brake pad replacements, tires, and minor auto maintenance. Welding and custom work was not mentioned in the application.

Chair Hamerly stated my concern is the intended use needs to match what is being reviewed, it needs to be consistent.

Associate Planner Syed stated a painting booth, extensive engine repairs and transmissions are classified as major auto repair.

Applicant Joaquin Pelayo stated my son would work on custom trucks, for example put lights on the top of the truck, upholstery custom, nothing mechanical.

Assistant Community Development Stater stated the HMC permits minor auto repair. It doesn't permit major engine or auto repair without the Conditional Use Permit. The only thing that you could approve this evening is kind of as described with some additional items such as minor interior work, but not body painting and major engine work use. The easiest and most comprehensive for him, is refer the approved use to back to the HMC definitions. Therefore, if we forget to include one or two things in the description, the Applicant does not have to come back to Planning Commission.

Chair Hamerly stated the four parcels are being merged into one and the landscape setback for street frontage is 20 feet. The landscape standard especially along Base Line should be consistent. The wall appears to be 3.5 feet off the property line. Is that wall permitted within that zone and does the landscape need to continue as a 20 foot buffer along the primary frontage of Base Line?

Associate Planner Syed stated regarding the WQMP should not be DG, however it should be landscaped. A grassy portion would satisfy the setback area and if the placements of the CMU wall is technically allowed to be there. If we would like to see the 20-foot landscape setback, we could reposition that wall behind the grassy portion.

Assistant Public Works Director Matt Bennett stated the comments towards the infiltration trench are a number of the perimeter fencing and location. There's some work

to be done with the with the final design, and we are going to continue to work with the applicant to make sure it is deliverable.

Commissioner Miller stated regarding the basin, the runoff directly from automotive facility and infiltrating that it does some run some risk of adding contaminants to groundwater. Under the assumptions listed under CEQA, it is stated there is no potential to impact groundwater. It would be great to get some level of pretreatment, such as a media filter fiber roll. Also, concentrated flow to drain over DG will allow erosion to occur and potentially discharge sediment to the receiving street.

Chair Hamerly stated I agree. It looks like the infiltration basin was surface flow only. I didn't see any drains that were taking the eastern part of the site allowing the water to be deposited into that basin.

Chair Hamerly opened the public hearing.

Chair Hamerly stated I did not see it written the conditions; however, it was discussed in the staff report regarding entire site had been paved. Is it part of the conditions or part of the approval process retroactively assigned a permit and a fee?

Assistant Community Development Director Stater stated a permit is not required.

Building Official Matt Wirz stated the flat work for the asphalt pavement would part of the grading plan for landscape improvements. There's an element to the flat work that would be looked at and reviewed with Building and Safety.

INAUDIBLE from 6:53 p.m. – 6:55 p.m.

Meeting paused at 6:55 p.m. to replace audio flash drive, meeting resumed at 6:59 p.m.

Chair Hamerly called back the public hearing meeting.

Associate Planner Syed stated during our break staff discussed with the Applicant off the record and the Applicant is open to re stucco the entire building and reroof the entire roof with shingles.

A MOTION was made by Commissioner Amaya, seconded by Commissioner Sutorus, to

1. Adopt Resolution No. 2023 – 002, approving Design Review Application (DRA 22-017) proposing the rehabilitation of an existing 2,184 square foot building into a minor auto repair facility on a 0.6-acre site and related Tentative Parcel Map (TPM 22-009) for the merging of four (4) contiguous parcels, subject to the Conditions of Approval and Findings of Fact; and
2. Direct staff to file a Notice of Exemption with the County Clerk of the Board of Supervisors. Motion carried, 4-1, with Vice Chair Thomas being absent.

RESOLUTION NO. 2023 - 002

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING DESIGN REVIEW APPLICATION (DRA 22-017) PROPOSING THE REHABILITATION OF AN EXISTING 2,184 SQUARE FOOT BUILDING INTO A MINOR AUTO REPAIR FACILITY ON A 0.6 ACRE SITE AND RELATED TENTATIVE PARCEL MAP (TPM 22-009) FOR THE MERGING OF FOUR (4) CONTIGUOUS PARCELS LOCATED AT THE NORTHWEST CORNER OF BASE LINE AND VINE STREET. ASSESSOR'S PARCEL NUMBER: 0279-141-07.

4. A Public Hearing to declare the existence of a Public Nuisance in accordance with Title 8, Chapter 8.32, of the Highland Municipal Code, and authorize the abatement thereof, at the Property located at 25222 3rd St., San Bernardino, CA 92410, Tax Assessor's Parcel Number 0279-173-27.

Code Enforcement Officer Chambers presented the staff report.

Commissioner Amaya asked when the last time Code Enforcement Officer was last in contact with the applicant?

Code Enforcement Officer Chambers replied July 13, 2022 was the last time I spoke to him over the phone; however I have emailed him several times as well as voicemails.

Chair Hamerly stated in the conclusion statement summary about what the city is requesting of the property owner for remedy, it states "Or other applicable permits to restore the building/structure to its original approved condition." Given that the structure in its present state would probably be deemed to be non-habitable and will require more than 50% of the structure to either be removed or rehabbed, wouldn't that trigger it couldn't be restored to it is original approved condition? It would have to comply with current code due to the expense and the extent of the renovations. It should be complete demolition because the state it is in.

Code Enforcement Officer Chambers stated it would have to comply with the current code.

Chair Hamerly opened and closed the public hearing.

A MOTION was made by Commissioner Sutorus, seconded by Commissioner Amaya, to adopt Appeals Board Resolution No. 2023 -003, declaring the existence of a public nuisance on the Property located at 25222 3rd St., San Bernardino, CA 92410 and order the abatement thereof. Motion carried, 4-1, with Vice Chair Thomas being absent.

RESOLUTION NO. 2023-003

A RESOLUTION OF THE PLANNING COMMISSION/APPEALS BOARD OF THE CITY OF HIGHLAND, CALIFORNIA, DECLARING THAT A PUBLIC NUISANCE EXISTS ON THE PROPERTY IDENTIFIED AS APN: 0279-173-27, GENERALLY LOCATED AT

25222 3rd ST., SAN BERNARDINO, CA 92410, AND ORDERING THE OWNER(S) OF THE PROPERTY TO ABATE THE NUISANCE CONTAINED THEREON.

ANNOUNCEMENTS

The next regular meeting is scheduled February 21, 2023.

ADJOURN

There being no further business, Chair Hamerly declared the meeting adjourned at 7:12 p.m.

Submitted by:

Approved by:

Camille Goritz, Administrative Assistant III
Community Development Department

Randall Hamerly, Chair
Planning Commission